

### REMARKS

Newly added Claims 13-16 are pending in this application.

A request for continued examination under 37 C.F.R. §1.114 is filed herewith.

Claims 13-16 have been added to more clearly define embodiments of the invention. The buffer and scheduler for rescheduling data in the output data stream so that latency is reduced is described at least on page 7, line 30 to page 9, line 25 and page 11, line 22 to page 12, line 27. No new matter has been added

Claims 1-8 have been cancelled without prejudice or disclaimer to allow prosecution to focus on the newly added claims.

### Claims Rejections – 35 U.S.C. 103(a)

Claims 1-8 stand rejected under 35 U.S.C. 103(a) as being obvious over Gringeri (U.S. Patent 6,108,382) in view of Tsai et al (U.S. Patent 6,529,552).

The cancellation of Claims 1-8 has rendered these claim rejections moot.

Applicant notes that the Tsai '552 reference does not include logic that reschedules portions of packet data only when the rescheduling reduces the latency of the data in the output data stream. As shown in fig. 2 of Tsai '552, Tsai's rescheduling logic clearly reschedules portions of a video frame whenever the size video frame exceeds the threshold set by the capacity of the channel. For example, the portion of frame 3 which is above the constant bit rate threshold is rescheduled to frame 4. Tsai's rescheduling logic serves to increase the latency of frame 3, as received from the output stream, because a receiver would need to delay acting on frame 3 until frame 4 is received. It is only when frame 4 is received that frame 3 is completely received. In contrast, Claim 13 requires a multiplexer with a scheduler that ensures reduced latency for received frames by always rescheduling portions of a frame whose size

exceeds a threshold to an earlier frame in the output data stream, and not to a later frame in the output data stream.

Therefore, new claims 13-16 are easily distinguishable from the teachings of Tsai '552.

Applicant requests consideration of newly added claims and a notice of allowance. The Examiner is requested to telephone the undersigned if any matters remain outstanding so that they may be resolved expeditiously. The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 19-4972.

Respectfully submitted,

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